

# **Town Board Minutes**

**Meeting  
No. 22**

**Regular Meeting**

**July 16, 2007**

## **Town Board Minutes**

July 16, 2007

Meeting No. 22

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 16<sup>th</sup> day of July 2007 at 8:00 P.M. and there were

**PRESENT:** DANIEL AMATURA, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** MARY ANN PERRELLO, DEPUTY TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR  
GARY STOLDT, CHIEF OF POLICE  
CHRISTINE FUSCO, ASSESSOR  
TERRENCE McCracken, GENERAL CREW CHIEF  
RICHARD REESE JR., HIGHWAY SUPERINTENDENT  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

### **EXECUTIVE SESSION:**

UPON A MOTION DULY MADE BY SUPERVISOR GIZA,  
SECONDED BY COUNCIL MEMBER AMATURA AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a potential contractual matter.

At 10:13 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

### **PERSONS ADDRESSING TOWN BOARD:**

Barbara Carr, Executive Director of S.P.C.A., spoke about possible grant for Town with cooperation from Dog Control Office

Steve Szopinski, GBNRTC Principal Traffic Analyst, spoke about the progress of the continuing traffic study

Patricia Valvo, Office of Real Property Services (ORPS), spoke on possible reval for 2008

**Beutler, Daniel**, 26 Tyler Street, spoke to the Town Board on the following matter:

- Real Property Appraiser position

**Chowaniec, Lee**, 93 Northwood Drive, spoke to the Town Board on the following matters:

- drug enforcement
- traffic counts on William Street

**Fronczak, Mike**, 3 Woodstream, spoke to the Town Board on the following matters:

- Town Hall restroom reconstruction
- new appointments to Police Department
- drug problem
- payment to lobbyist for federal grants
- status on problems at Aurora Markets

**Geleso, Linda**, 157 Siebert Road, spoke to the Town Board on the following matter:

- ditch cleaning on west side of Siebert Road

**Chowaniec, Evelyn**, 93 Northwood Drive, spoke to the Town Board on the following matter:

- dust emanating from Wal-Mart construction project

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**RESOLVED**, that the minutes of the Joint Meeting of the Town Board and the Planning Board held July 2, 2007 and the Regular Meeting of the Town Board held July 2, 2007 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 16, 2007

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION. SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated  
July 3, 2007 has requested the addition of members to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms  
the additions to the membership of the Town Line Volunteer Fire Department the following  
individuals:

ADDITIONS:

Krystle Galbraith  
61 Edgebrook Estates  
Cheektowaga, New York

Keith Dworak  
61 Edgebrook Estates  
Cheektowaga, New York

Stephen Thiemke  
36 Buttonwood Lane  
Amherst, New York

Joelle C. Pauly  
5750 Broadway  
Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 16, 2007

File: RFIRE (P3)

**PREFILED RESOLUTION NO. 3 - MEETING OF 7/16/07**

Giza/ \_\_\_\_\_

Authorize Payment To William Bosse For Conveyance Of  
Sublot No 19 In Meadowlands Subdivision

At the request of Supervisor Giza, this resolution was withdrawn for further  
study.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the U.S. Marine Corps was promised a modular tactical vest (MTV) in early 2007 to be used by U.S. Marines as body armor but the vest has yet to be deployed, and

**WHEREAS**, soldiers were told before they were deployed that they could wear body armor purchased on their own, and

**WHEREAS**, the U.S. Marine Corps has now taken the position that the commercial version of the MTV Spartan II assault vest which is exactly equivalent to the MTV in form, fit and function cannot be used by U.S. Marines, and

**WHEREAS**, the Town Board of the Town of Lancaster has been made aware that the American Legion Post 735 in West Seneca purchased and shipped 20 Spartan II body armor vests to Al Anbar Province in Iraq for use by U.S. Marines, and

**WHEREAS**, the U.S. Marine Corps has denied the use of these commercial Spartan II assault vests by U.S. Marines, and

**WHEREAS**, Marine Administrative Order 262-07 states that commanders may authorize members of their commands to use commercially purchased personal protective equipment (PPE) in addition to those used by the government as long as it does not interfere with approved PPE, and

**WHEREAS**, Congressman Brian Higgins, in a letter to General James Conway, Commandant of the U.S. Marine Corps, stated that every American soldier should have access to the best body armor available and have clear guidance on what additional equipment is approved for use;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby requests that United States Senators Clinton and Schumer assist in the efforts of Congressman Brian Higgins to resolve this issue with General James Conway, Commandant of the U.S. Marine Corps and further that Governor Eliot Spitzer take this matter up with the governors of all states to assure that all U.S. soldiers deployed overseas and in any combat zone be able to obtain and use appropriate body armor from whatever source it can be made available, and

**FURTHER BE IT**

**RESOLVED**, that the Town Clerk forward a copy of this resolution to Senator Hillary Clinton, Senator Charles Schumer, Governor Eliot Spitzer and the Supervisors of all Towns in Erie County.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 16, 2007

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, following discussions with the Chief of Police, the Town Board has requested the creation of three (3) additional positions of Police Officer in the Town of Lancaster.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) to create three (3) additional positions of Police Officer in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 16, 2007



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Town Board has requested the creation of one (1) additional position of Real Property Appraiser in the Town of Lancaster Assessor's Office.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) to create one (1) position of Real Property Appraiser in the Town of Lancaster Assessor's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 16, 2007

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA. WHO  
MOVED IT'S ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, §1660 (18) Vehicle and Traffic Law permits the Town to designate the location of stop signs and no-passing zones affecting town roads outside of the Villages of Lancaster and Depew, and

**WHEREAS**, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 6th day of August 2007, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before July 19, 2007, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 16, 2007

**LEGAL NOTICE  
PUBLIC HEARING  
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE  
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK  
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN** that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 16th day of July, 2007, the said Town Board will hold a Public Hearing on the 6th day of August, 2007, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

**CHAPTER 46**

**Article VIII, STOP INTERSECTIONS; NON-INTERSECTION  
STOPS; YIELD INTERSECTIONS  
46-8.1 Stop Intersections designated, is hereby amended by adding  
thereto the following:**

**TRENTWOOD TRAIL SUBDIVISION**

<b><u>STREET NAME</u></b>	<b><u>INTERSECTING STREET</u></b>	<b><u>SIGN LOCATION</u></b>
Seneca Place	Trentwood Trail	N.E. Corner
Seneca Place	Trentwood Trail	S.W. Corner

and

**MICHAELS LANDING SUBDIVISION**

<b><u>STREET NAME</u></b>	<b><u>INTERSECTING STREET</u></b>	<b><u>SIGN LOCATION</u></b>
Sagebrush Lane	Ann Marie Drive	N.E. Corner
Sagebrush Lane	Ann Marie Drive	S.W. Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

By: **JOHANNA M. COLEMAN**  
Town Clerk

July 16, 2007

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER RUFFINO, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, grant monies are available through the Project Impact Tools program via the New York State Division of Criminal Justice Services to increase police enforcement efforts, and

**WHEREAS**, grant monies may be used to purchase equipment for use in conjunction with narcotics investigations;

**NOW THEREFORE, BE IT**

**RESOLVED**, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Division of Criminal Justice Services for the purpose of securing this grant, and

**BE IT FURTHER**

**RESOLVED**, that the Town of Lancaster must commit matching funds, in an amount not to exceed \$5,000, and

**BE IT FURTHER**

**RESOLVED**, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 16, 2007

File: rprojectimpacttools707

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, the Chief of Police of the Town of Lancaster, by letter dated July 11, 2007, has recommended the appointment of Ronald W. Smith, Joseph S. Sobaszek, and John J. Zimmerman to the position of Police Officer, and

**WHEREAS**, Ronald W. Smith, Joseph S. Sobaszek, and John J. Zimmerman have placed in the top three (3) candidates of the Civil Service candidates's list.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Ronald W. Smith, Joseph S. Sobaszek, and John J. Zimmerman be and are hereby appointed to the position of Police Officer, in the Town of Lancaster Police Department, effective August 6, 2007, with full benefits and salary in accordance with the departmental procedures as set forth in the current Police Benevolent Association contract.

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 16, 2007

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER AMATURA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO, TO WIT:

**WHEREAS**, the Town of Lancaster has experienced traffic congestion at the intersection of William Street and Aurora Street, and

**WHEREAS**, the introduction of turn arrow signalization at this intersection will assist in the conduction of traffic more efficiently through the intersection, decreasing the wait time for traffic patterns at this signal, and

**WHEREAS**, it will also be necessary that the signal has provisions for connection to a portable generator, and

**WHEREAS**, Emergency Electric, 5448 Macloou Drive, Hamburg, New York 14075 has submitted a proposal for specialized professional services which are not subject to public bid to cause the addition of left turn arrows at all four approaches to the intersection above mentioned for a sum not to exceed \$6,500, and

**WHEREAS**, the Town Board has given due consideration to the improvement of traffic flow at these intersections and believes it to be in the public interest to cause the improvement in signalization;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to enter into a contract with Emergency Electric, 5448 Macloou Drive, Hamburg, New York 14075 for the purpose of providing this specialized professional service to the Town of Lancaster in revising the signalization by the introduction of left turn arrows to the four (4) traffic signal approaches at the intersection of William Street and Aurora Street.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 16, 2007

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER AMATURA, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid from  
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director  
of Administration and Finance, to wit:

Claim No. 9149 to Claim No. 9433 Inclusive

Total amount hereby authorized to be paid: \$478,677.95

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 16, 2007

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER RUFFINO. TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) - Conditional sidewalk waiver.

(V/L) = Village of Lancaster

**NEW PERMITS:**

14804	M. Sebastiano Const	92 Bowen Ave	Er. Res. Alt.	(V/L)
14823	Marrano/Marc Equity	8 Carlisle St	Er. Dwlg.-Sin.	
14824	Marrano/Marc Equity	4 Chicory Ln	Er. Dwlg.-Sin.	
14825	Forbes-Capretto Homes	15 Sawgrass Ln	Er. Dwlg.-Sin.	
14826	Blakely, David	153 Central Ave	Er. Fence	(V/L)
14827	Bascaglia Decks	11 Chicory Ln	Er. Deck	
14828	Kirisits, Jeffrey	16 Birchwood Comm	Er. Res. Alt.	
14829	Iroquois Fence Inc	43 Stream View Ln	Er. Fence	
14830	Stribing, Michael	19 Avian Way	Er. Deck	
14831	Slivan Pool & Const	475 Schwartz Rd	Er. Pool-Abv Grnd	
14832	Armor Fence Co.	17 Fox Trace	Er. Fence	
14833	Fleischman-Scott, R.	88 Irwinwood Rd	Er. Pool-Abv Grnd	(V/L)
14834	New Dimensions	138 Robert Dr	Er. Res. Add.	(V/L)
14835	American Fence Co	1 Farmview Ct	Er. Fence	
14836	Majestic Pools Inc	31 Traceway	Er. Pool-In Grnd	
14837	Kranso, William	660 Hall Rd	Er. Deck	
14838	Patio Enclosures Inc	43 E Home Rd	Er. Res. Add.	
14839	Potter, Lisa	61 Kelly Ct	Er. Shed	(V/L)
14840	City Fence Inc	61 Kelly Ct	Er. Fence	(V/L)
14841	Janicki, Leonard	26 Avian Way	Er. Deck	
14842	Pfeiffer, Douglas	11 St Anthony St	Er. Deck	
14843	Don Vickard Pools	1723 Como Park Blvd	Er. Pool-Abv Grnd	
14844	Duro-Shed Inc	5 Dorchester Ct	Er. Shed	
14845	Colley's Pool Sales	45 Stream View Ln	Er. Pool-In Grnd	
14846	Colley's Pool Sales	45 Stream View Ln	Er. Fence	
14847	Bianchi, Anthony Jr	39 Windcroft Ln	Er. Deck	
14848	Kohlhagen, Steven	15 Holland Ave	Er. Garage	(V/L)
14849	Brackenridge, Thomas	24 Schiffler Ct	Er. Deck	
14850	Erhardt, Ami	4 Avian Way	Er. Shed	
14851	Sutch, David	134 Harvey Dr	Er. Pool-Abv Grnd	(V/L)
14852	Avalon Services	581 Ransom Rd	Er. Pool-Abv Grnd	
14853	Iroquois Fence Inc	19 Chestnut Corner	Er. Fence	
14854	Jeziorski, Paul	8 Brunck Rd	Er. Fence	



14855	Homestead	25 Glendale Dr	Er. Shed	
14856	Delzer, William	23 Oakwood Ave	Er. Garage	(V/L)
14857	Marrano/Marc Equity	11 Red Clover Ln	Er. Dwlg.-Sin.	
14858	Marrano/Marc Equity	1 Sweet Brier Ct	Er. Dwlg.-Sin.	
14859	Marrano/Marc Equity	27 Red Clover Ln	Er. Dwlg.-Sin.	
14860	Marrano/Marc Equity	13 Pelham Rd	Fr. Dwlg.-Sin.	
14861	Marrano/Marc Equity	11 Juniper Blvd	Er. Dwlg.-Sin.	
14862	Schlager, Robert	27 Americo Ct	Fr. Shed	
14863	Building Innovations	4343 Walden Ave	Fr. Hanger	
14864	Mathews, Thomas	14 Stone Hedge Dr	Er. Res. Add.	
14865	Fatley, John	153 Albert Dr	Er. Fence	(V/L)
14866	J.L.B. Installations	14 Trentwood Trl	Er. Pool-In Grnd	
14867	Vacanti, Michael	75 Pleasant View Dr	Er. Fence	
14868	Oneida Concrete Prod.	24 Kelly Ct	Er. Fence	(V/L)
14869	Dance Spectrum	4705 Transit Rd	Er. Sign-Temp	
14870	O'Laughlins Homes	6 Alyssum Ct	Er. Res. Add.	
14871	Marrano/Marc Equity	4 Carlisle St	Er. Dwlg.-Sin.	
14872	Banaszak, James	2 Rose Hill Cir	Er. Shed	
14873	M. Sebastiano Const	370 Seneca Pl	Er. Res. Add.	
14875	Gallo, William	39 Chicory Ln	Fr. Shed	
14876	Imperial Fence Co	521 Pleasant View Dr	Er. Fence	
14877	Italian Gardens	6461 Transit Rd	Er. Comm. Add.	

#### **BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

#### **BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 16, 2007

## COMMUNICATIONS & REPORTS:

367. Wm. Schutt & Associates, P.C. to Town Board -  
Recommendation to award contract for milling and resurfacing of certain Town highways to Occhino Corporation. DISPOSITION - Resolution 7/2/2007
368. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -  
Notice from the Town Forestry Department of no issues regarding site plan of T. O'Donnell Landscaping, Walden Avenue. DISPOSITION = Planning Committee
369. Fox & Company, LLP to Supervisor -  
Transmittal of audited financial statements of the Town for year ended December 31, 2006. DISPOSITION = Received & Filed
370. Highway Superintendent to Supervisor, Town Board -  
Request resolution to award contract for milling and resurfacing of certain Town highways to the lowest responsible bidder, Occhino Corporation. DISPOSITION = Resolution 7/2/2007
371. Boston Hotel Steak & Crab House to Town Clerk -  
Notice of application for renewal of liquor license. DISPOSITION = Town Attorney
372. Town Clerk to Town Board -  
Transmittal of monthly report for June 2007. DISPOSITION = Received & Filed
373. Greater Lancaster Museum of Fire Fighting to Town Board -  
Invitation to grand opening of museum on Sunday, September 30, 2007, 10:00 AM. DISPOSITION = Received & Filed
374. Lancaster Amateur Radio Club Inc. to Supervisor -  
Letter of appreciation for installation of new windows for clubhouse. DISPOSITION = Received & Filed
375. Town Clerk to Town Board -  
Notice of final settlement of 2007 County/Town Tax Warrant. DISPOSITION = Received & Filed
376. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -  
Notice of no issues from the Town Forestry Department regarding site plans of Dairy Queen Grill and Chill Restaurant, 6711 Transit Road and Russ Salvatore Development, Transit Road. DISPOSITION = Planning Committee
377. Captain Riccardo M. Zuppelli to Supervisor -  
Request ordinance to place stop signs at certain intersections in the town. DISPOSITION = Resolution 7/16/2007
378. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -  
Notice of no issues from the Town Forestry Department regarding preliminary plat plan of "Greens at Pleasant Meadows" Subdivision 4. DISPOSITION = Planning Committee
379. United States Environmental Protection Agency to Supervisor -  
Transmittal of report of Sanitary Sewer Overflow Compliance Evaluation Inspection conducted on May 2, 2007. DISPOSITION = Received & Filed

**ADJOURNMENT:**

**ON MOTION OF SUPERVISOR GIZA, SECONDED BY COUNCIL MEMBER  
RUFFINO AND CARRIED**, the meeting was adjourned at 10:13 P.M in memory of Nancy Gorski.

Signed Mary Ann Perrello  
Mary Ann Perrello, Deputy Town Clerk